

AMENDED IN ASSEMBLY APRIL 18, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1212**

**Introduced by Assembly Member Wyland**

February 22, 2005

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An act to add ~~Section 60043.5 to and repeal Chapter 19 (commencing with Section 53100) of Part 28 of the Education Code, relating to instructional materials education accountability.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1212, as amended, Wyland. ~~Instructional materials: American history.~~ *California Local Education Accountability Reform Act.*

Existing law, the Public School Performance Accountability Program, requires the Superintendent of Public Instruction, with approval of the State Board of Education, to develop the Academic Performance Index (API), consisting of a variety of indicators, to be used to measure performance of schools. Existing law requires the Superintendent to develop, and the State Board of Education to adopt, expected annual percentage growth targets for all schools based on their API baseline score and prescribes a minimum percentage growth target of 5% annually. Upon adoption of state performance standards by the State Board of Education, existing law requires the Superintendent to recommend, and the State Board of Education to adopt, a statewide API performance target.

This bill would establish the California Local Education Accountability Reform Program as a pilot program, for the purpose of providing flexibility to school districts and their schools in planning and implementing programs in order to increase pupil academic achievement and to enable schools to meet the accountability targets established in the Public School Performance Accountability

*Program. This bill would authorize districts, with the approval of their governing boards to apply to participate in the program, and would require the State Board of Education to develop and administer the program. This bill would authorize districts, with the approval of their governing boards, to apply to participate in the program, and would require the State Board of Education to select up to 15 districts to participate.*

*This bill would exempt participating districts from the requirements and regulations of specified categorical programs, and would require the Superintendent to apportion categorical block grant funds to participating school districts, as specified.*

*This bill would require participating school districts to prepare and present annual budgets, and to allocate at least 50% of their total state and local revenue limit funding and categorical block grant funds to their constituent schools. This bill would require participating districts to submit annual reports and distributions of financial results for each school.*

*This bill would require each school within each participating school district to prepare an annual academic and budget plan, according to specified criteria.*

*This bill would make the program inoperative on July 1, 2011, and would repeal it as of January 1, 2012.*

~~Existing law requires governing boards of school districts, when adopting instructional materials for use in the schools, to require, when appropriate to the comprehension of pupils, that textbooks for social science, history or civics classes contain the Declaration of Independence and the Constitution of the United States.~~

~~This bill would require governing boards to select textbooks for social science, history, or civics classes for grades 5, 8, 11, and 12 that explain and celebrate nationhood and the American ideal and that explore the manner in which the United States has both met, and failed to meet, this ideal throughout its history, thereby imposing a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,~~

~~reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: ~~yes~~ no.

*The people of the State of California do enact as follows:*

1     ~~SECTION 1. Section 60043.5 is added to the Education~~  
2     ~~Code, to read:~~

3     ~~SEC. 2. Chapter 19 (commencing with Section 53100) is~~  
4     ~~added to Part 28 of the Education Code, to read:~~

5  
6             CHAPTER 19. CALIFORNIA LOCAL EDUCATION  
7             ACCOUNTABILITY REFORM PROGRAM

8  
9             Article 1. General Provisions

10  
11     53100. *This chapter shall be known and may be cited as the*  
12     *California Local Education Accountability Reform Program.*

13     53101. *The purpose of the program is to provide flexibility to*  
14     *school districts and their schools, and relief from categorical and*  
15     *regulatory limitations, in planning and implementing programs*  
16     *in order to increase pupil academic achievement and to enable*  
17     *schools to meet the accountability targets established in the*  
18     *Public School Performance Accountability Program pursuant to*  
19     *Article 2 (commencing with Section 52051) of Chapter 6.1 of*  
20     *Part 28.*

21  
22     Article 2. *California Local Education Accountability Reform*  
23             *Program*

24  
25     53102. *The California Local Education Accountability*  
26     *Reform Program is hereby established as a pilot program for*  
27     *purposes of supporting and implementing a comprehensive*  
28     *education system designed to improve pupil achievement.*

29     53103. *A school district that maintains any of kindergarten or*  
30     *grades 1 to 12, inclusive, with the approval of the governing*  
31     *board of the school district, may apply to the State Board of*  
32     *Education for participation in the program. A participating*  
33     *school district shall do all of the following:*

1     (a) *Require participation of all schools in the district for a*  
2     *minimum of five years.*

3     (b) *Require participation of the district superintendent in*  
4     *in-service training.*

5     (c) *Train principals and other staff identified by the district*  
6     *superintendent.*

7     (d) *Have the principal at each schoolsite communicate to*  
8     *parents, pupils, and staff, information regarding the process and*  
9     *timelines that the school establishes to obtain input from parents,*  
10    *community, and staff in the development and implementation of*  
11    *the annual academic and budget plan of the school.*

12    (e) *Have the principal at each schoolsite develop the academic*  
13    *and budget plan of the school and submit it to the district*  
14    *superintendent for approval by the district governing board.*

15    (f) *Annually review and evaluate the results of the program,*  
16    *including fiscal accountability in all individual schools of the*  
17    *school district and at the school district level.*

18    53104. (a) *The State Board of Education may approve a*  
19    *maximum of 15 school districts in the state for participation in*  
20    *the program, to include no more than four school districts from*  
21    *among the 25 school districts in the state that have the greatest*  
22    *pupil enrollment.*

23    (b) *To the extent practicable, the school districts selected are*  
24    *to be drawn from and broadly representative of the following*  
25    *criteria:*

26    (1) *Geographic regions of the state.*

27    (2) *Small and large school districts.*

28    (3) *Urban, suburban, and rural districts.*

29    (4) *Elementary, high school, and unified school districts.*

30    53105. (a) *A school district participating in the program is*  
31    *exempt from the program requirements and regulations for the*  
32    *following programs:*

33    (1) *English Language Acquisition Program, as set forth in*  
34    *Chapter 4 (commencing with Section 400) of Part 1.*

35    (2) *Home-to-school transportation programs, as set forth in*  
36    *Article 2 (commencing with Section 39820) of Chapter 1 of Part*  
37    *23.5 and Article 10 (commencing with Section 41850) of Chapter*  
38    *5 of Part 24.*

39    (3) *Year-Round School Grant Program, as set forth in Article*  
40    *3 (commencing with Section 42260) of Chapter 7 of Part 24.*

1     (4) *Marian Bergeson Beginning Teacher Support and*  
2     *Assessment System*, as set forth in Article 4.5 (commencing with  
3     Section 44279.1) of Chapter 2 of Part 25.

4     (5) *California Peer Assistance and Review Program for*  
5     *Teachers*, as set forth in Article 4.5 (commencing with Section  
6     44500) of Chapter 3 of Part 25.

7     (6) *Instructional Time and Staff Development Reform*  
8     *Program*, as set forth in Article 7.5 (commencing with Section  
9     44579) of Chapter 3 of Part 25.

10    (7) *Teacher dismissal apportionment*, as set forth in Section  
11    44944.

12    (8) *Academic progress and counseling review*, as set forth in  
13    Section 48431.6.

14    (9) *School improvement programs*, as set forth in Chapter 6  
15    (commencing with Section 52000).

16    (10) *Bilingual Teacher Training Assistance Program*, as set  
17    forth in Article 4 (commencing with Section 52180) of Chapter 7.

18    (11) *International Baccalaureate Diploma Program*, as set  
19    forth in Chapter 12.5 (commencing with Section 52920).

20    (12) *Targeted Instructional Improvement Grant*, as set forth in  
21    Chapter 2.5 (commencing with Section 54200) of Part 29.

22    (13) *School-Based Pupil Motivation and Maintenance*  
23    *Program and Dropout Recovery Act*, as set forth in Article 7  
24    (commencing with Section 54720) of Chapter 9 of Part 29.

25    (14) *Supplemental Grants*, as set forth in Article 9  
26    (commencing with Section 54760) of Chapter 9 of Part 29.

27    (15) *Specialized secondary programs*, as set forth in Chapter  
28    6 (commencing with Section 58800) of Part 31.

29    (16) *At-risk youth programs*, as set forth in subdivision (a) of  
30    Section 41 of Chapter 299 of the Statutes of 1997.

31    (17) *Intersegmental Staff Development Program*, as funded in  
32    Item 6110-197-0001 of Section 2.00 of Chapter 208 of the  
33    Statutes of 2004.

34    (18) *Civic education program*, as funded in Item  
35    6110-208-0001 of Section 2.00 of Chapter 208 of the Statutes of  
36    2004.

37    (19) *Class Size Reduction Program for kindergarten and*  
38    *grades 1 to 3, inclusive*, as set forth in Chapter 6.10  
39    (commencing with Section 52120).

- 1     (20) *Program to Reduce Class Size in Two Courses in Grade*  
2     9, as set forth in Chapter 6.8 (commencing with Section 52080).  
3     (21) *English Learners Student Assistance*, as set forth in  
4     Chapter 4 (commencing with Section 400) of Part 1.  
5     (22) *Academic Improvement and Achievement*, as set forth in  
6     Chapter 12 (commencing with Section 11020) of Part 7.  
7     (23) *School Safety programs*, as funded in Item  
8     6110-228-0001 of Section 2.00 of Chapter 208 of the Statutes of  
9     2004.  
10    (24) *Regional Occupational Centers and Programs*, as set  
11    forth in Article 1 (commencing with Section 52300) of Chapter 9.  
12    (25) *Apprentice Programs*, as funded in Item 6110-103-0001  
13    of Section 2.00 of Chapter 208 of the Statutes of 2004.  
14    (26) *Partnership Academies Program*, as set forth in Article 5  
15    (commencing with Section 54690) of Chapter 9 of Part 29.  
16    (27) *Tenth Grade Counseling*, as set forth in Section 48431.7.  
17    (28) *Agricultural Career Technical Education Incentive*  
18    Program, as set forth in Article 7.5 (commencing with Section  
19    52460) of Chapter 9.  
20    (b) Notwithstanding any other provision of law, commencing  
21    with the 2006–07 fiscal year, and each fiscal year thereafter, the  
22    Superintendent shall apportion categorical block grant funds to  
23    school districts participating in the program as follows:  
24    (1) In order to determine the amount of funds to be allocated  
25    to each participating school district, the Superintendent shall do  
26    all of the following:  
27    (A) Determine the amount of funds allocated to each school  
28    district in the 2005-06 fiscal year for the programs specified in  
29    Section 64003.  
30    (B) Adjust that amount by the increase in average daily  
31    attendance defined in Section 42238.5.  
32    (C) Adjust the resulting amount by the inflation increase  
33    provided in the annual Budget Act.  
34    (2) The amount calculated pursuant to paragraph (1) shall be  
35    allocated to each school district as a block grant and shall be  
36    available for support of educational activities, in the following  
37    priority order:  
38    (A) Active court orders.  
39    (B) Any other educational activity.

1     53106. (a) *Each school district participating in the program*  
2 *shall prepare and present its annual budget separated by central*  
3 *district office departments and by individual schools. The*  
4 *allocations of funds to the individual schools for budget*  
5 *development is to be reported at a regularly scheduled hearing of*  
6 *the governing board of the school district. The principal of each*  
7 *school shall recommend the annual academic and budget plan*  
8 *for the school to the district superintendent for approval by the*  
9 *governing board of the school district.*

10    (b) *Each school district shall allocate to its schools at least 50*  
11 *percent of its total state and local revenue limit funding and*  
12 *categorical block grant funds for the preparation and*  
13 *implementation of the annual academic and budget plan by the*  
14 *schools. Plans for funds developed by school district staff are to*  
15 *be shown separately in each school's academic and budget plan*  
16 *along with the names of the school district budget authorities.*

17    (c) *Each participating school district shall annually report*  
18 *and distribute the financial results for each school. This annual*  
19 *report shall include, but is not limited to, the following items:*

20    (1) *Total expenditures, full-time equivalents (FTEs), and*  
21 *percentages for salaries and benefits for:*

22    (A) *Teachers.*

23    (B) *Other certificated staff.*

24    (C) *Classified staff.*

25    (D) *Administrators.*

26    (E) *Substitute staff.*

27    (2) *Expenditures for pupil instructional materials.*

28    (3) *Expenditures for computers and related technology*  
29 *services.*

30    (4) *Expenditures for all other supplies, equipment, and*  
31 *services.*

32    (5) *Overhead charges paid to the school district.*

33    (6) *Unused funds and remaining balances.*

34    (d) *School districts that prepare their school budgets based on*  
35 *the average salaries and benefits of the staff of the school*  
36 *district, instead of the actual salaries and benefits, in their*  
37 *annual reporting pursuant to subdivision (c), shall list, together*  
38 *with the average expenditures of the staff, the actual total*  
39 *expenditures for each category and totals for the school. In those*

1 cases, the fiscal management of the school shall be measured  
2 against the budget based on average salaries and benefits.

3 53107. The annual school plan for each school shall include  
4 at least the following elements:

5 (a) A yearly progress plan for meeting the requirements of  
6 Title 1 of the federal No Child Left Behind Act of 2001 (20 U.S.C.  
7 Sec. 6301 et seq.).

8 (b) An operating budget.

9 (c) A facilities maintenance plan.

10 (d) An outreach plan for actively soliciting input to the  
11 planning process from all major stakeholder groups, including  
12 the following:

13 (1) Pupils at the school.

14 (2) Parents of pupils at the school.

15 (3) Staff at the school.

16 (4) Members of the local neighborhood community.

17 (5) Local businesses.

18 (e) A school staffing plan.

19 53108. This chapter shall become inoperative on July 1,  
20 2011, and, as of January 1, 2012, is repealed, unless a later  
21 enacted statute that becomes operative on or before January 1,  
22 2012, deletes or extends the dates on which it becomes  
23 inoperative and is repealed.

24 ~~60043.5. When adopting instructional materials for use in the~~  
25 ~~schools, the governing board shall select textbooks for social~~  
26 ~~science, history, or civics classes for grades 5, 8, 11, and 12 that~~  
27 ~~explain and celebrate nationhood and the American ideal and that~~  
28 ~~explore the manner in which the United States has both met, and~~  
29 ~~failed to meet, this ideal throughout its history.~~

30 ~~SEC. 2. If the Commission on State Mandates determines that~~  
31 ~~this act contains costs mandated by the state, reimbursement to~~  
32 ~~local agencies and school districts for those costs shall be made~~  
33 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~  
34 ~~4 of Title 2 of the Government Code.~~